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David A. Levine

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gerald W. KEARBY, et al.

Application Serial No.: 10/770,086

Confirmation No.: 9269

Attorney Docket No.: BOM 1001 - US

Filing Date: 31 January 2004

Titled:

**MEDIA RECEIPT DEVICE
AND SYSTEM AND A
METHOD OF USING THE
SAME**

Examiner: Not Yet Assigned

Group Art Unit: 3629

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit for consideration in the above identified application the documents listed on the attached Form No. PTO/SB/08A (substitute for Form-1449). The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are necessary.

Applicants would appreciate the Examiner initialing and returning the Form No. PTO/SB/08A, indicating that the information has been considered and made of record herein.

This Information Disclosure Statement is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

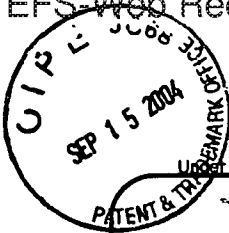


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/K.E./

02/27/2008



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/770,086
		Filing Date	31 January 2004
		First Named Inventor	Gerald W. Kearby
		Art Unit	3629
		Examiner Name	Not Yet Available
Total Number of Pages in This Submission	5	Attorney Docket Number	BOM 1001 - US


ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Form PTO/SB/08A Copies of 2 Non-Patent Documents
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David A. Levine, Reg. No. 48,821
Signature	
Date	13 September 2004

CERTIFICATE OF TRANSMISSION/MAILING	
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Typed or printed name	David A. Levine
Signature	
Date	13 September 2004

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/770,086
Filing Date	31 January 2004
First Named Inventor	Gerald W. Kearby
Art Unit	3629
Examiner Name	Not Yet Available
Attorney Docket Number	BOM 1001 - US

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner
Signature**

/Kimberly Evans/

Date
Considered

02/27/2008

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	Filing Date		31 January 2004
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	Examiner Name		Not Yet Available
	Attorney Docket Number		BOM 1001 - US
Sheet	2	of	2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/K.E./		"Instant Live LLC Acquires U.S. Patent", Business Wire, April 7, 2004, < http://home.businesswire.com >.	
/K.E./		ALPERT, L. I., "Technology Allows Immediate Live-Concert Downloads", Augusta Chronicle, April 30, 2004. < http://augustachronicle.com/stories/050104/mus_LA0434-9.shtml >.	

Examiner Signature	/Kimberly Evans/	Date Considered	02/27/2008
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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